GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Home Department – Allegation of corruption against Sri Adatarao Appala Swamy Dora, S/o. Naganna Dora, 52 years, Head Constable-2199, Crime Police Station, Pendurthi, Visakhapatnam City – Trapped on 23.02.2016 – Sanction for Prosecution - Orders - Issued.

HOME (SC.A) DEPARTMENT

G.O.MS.No. 50 **Dated: 04-04-2017**

Read the following:-

ORDER:-

Whereas, Sri Adatarao Appala Swamy Dora, S/o Naganna Dora, 52 years worked as Head Constable-2199, Crime Police Station, Visakhapatnam City from 20-02-2015 to 23-02-2016 and by virtue of the post held by him, falls under the category of a Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988.

2. And whereas, on 22.02.2016 at 1600 Hrs, Smt.Vadapalli Mary W/o Ramu gave a written complaint against Sri Adatarao Appala Swamy Dora, Head Constable-2199, Crime Police Station, Pendurthi, Visakhapatnam City stating that she is a native of Ekalavya Colony, Chinamushidiwada, Pendurthi (M), Visakhapatnam City. She has been running a Master Rag picking business in a shop situated at Gandhinagar, Pendurthi Main road, Visakhapatnam city. She purchases the old papers, card board boxes and used plastic bottles etc., from the Rag pickers and in turn, sells the same to the wholesale business people every fortnight or every month by transporting the material in a TATA ACE goods carriage run by her husband. Sri Appala Swamy Dora, Head Constable, Pendurthi Crime Police Station comes to her shop frequently and threatens her not to purchase used bottles, old papers as they are coming under " scrap" and also they are stolen property. He has been collecting monthly mamools of Rs. 3000/- per month from her since six months prior to 22.02.2016. While so, on 18.02.2016 afternoon at about 1300 hours, she, along with her worker Sri Pendri Gowri have loaded plastic bottles, old papers etc., in a TATA ACE goods vehicle No.AP05 TA 2608 in front of her shop and her husband Sri Vadapalli Ramu was ready to transport the said vehicle. Sri Adatarao Appala Swamy Dora, Head Constable came to their shop, threatened her that the goods in the TATA ACE vehicle are stolen property and that they are encouraging thefts and also there are complaints of theft of 4 TATA ACE vehicles in Pendurthi Police Station limits. They gave the records of the TATA ACE vehicle to Sri Adatarao Appalaswamy Dora, Head Constable, to verify records of the vehicle. But the Head Constable took away the papers and got the material unloaded and he himself drove away the Vehicle to the Police Station. In the afternoon of the same day at 1.30 p.m., she and her husband went to the Police Station and noticed that their TATA ACE vehicle was parked at the rear side of the Pendurthi Police Station along with other vehicles. Then, they approached the Head Constable Sri Adatarao Appala Swamy Dora and informed that the vehicle was not stolen one, the material was also not stolen property and requested Sri Adatarao Appala Swamy Dora to go through the records of the vehicle and release it. But, the Head Constable demanded an amount of Rs.20,000/- as bribe to release the vehicle without booking any case and informed that he would be out of Station and instructed Smt. Vadapalli Mary to come to Police Station on 22.02.2016 afternoon at 1.00 p.m along with demanded bribe amount. Accordingly, Smt. Vadapalli Mary went to the Police Station, approached the Head Constable at the Police Station and requested him to reduce the demanded bribe amount , but the Head Constable did not hear their words. On the repeated requests of Smt. Vadapalli Mary, the Head Constable Sri Appala Swamy Dora reduced the bribe amount to Rs.18,000/-, and instructed to be ready with the demanded bribe of Rs.18,000/- at their shop on 23.02.2016 afternoon and he would collect the same from her. The Head Constable Sri Appala Swamy Dora threatened that he would book case against her husband and would seize the vehicle. As there was no alternative, Smt. Vadapalli Mary reluctantly agreed to pay the demanded bribe of Rs.18,000/- to the Head Constable Sri Appala Swamy Dora. But, as she was not willing to give bribe to Sri Adatarao Appala Swamy Dora, she lodged a report with the Dy. Superintendent of Police, Anti Corruption Bureau, Visakhapatnam to take necessary action against the Head Constable Sri Adatarao Appala Swamy Dora.

p.t.o.,

3. And whereas, after following due procedure, the DSP, Anti- Corruption Bureau, Visakhapatnam Range, registered the said report as a case in Crime No.04/RCT-VSP/2016, u/s 7 of Prevention of Corruption Act, 1988 of ACB, Visakhapatnam Range, Visakhapatnam at 11.30 hours on 23.02.2016 and took up investigation.

4. And whereas, during proceedings on 23.02.2016 at about 14.45 hrs, Sri Adatarao Appala Swamy Dora was trapped when he further demanded and accepted the bribe amount of Rs.18,000/- at Gandhinagar, Pendurthi. In pursuance of the information given by Sri Appala Swamy Dora, the tainted amount of Rs.18,000/- was recovered from tank cover of his Bajaj Pulsar motor cycle bearing registration No.AP 31 AD 5129. When compared, the denomination and serial numbers of tainted amount and the denomination and serial numbers of the currency notes mentioned in pre-trap proceedings tallied. The upper surface of cover on petrol tank of the vehicle and yellow colour plastic cover containing the TATA ACE vehicle records, which came in contact with the tainted currency, were subjected to chemical test and they also proved positive. The DSP, ACB seized the bribe amount of Rs.18,000/-, connected records and material objects and also prepared rough sketch of scene of offence.

5. And whereas, the aforesaid acts of Sri Adatarao Appala Swamy Dora S/o. Naganna Dora, 52 years who worked as Head Constable-2199, Crime Police station, Pendurthi, Visakhapatnam City constitute offence punishable under sections 7 and 13 (2) r/w section 13(1) (d) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

6. And whereas, Government, being the competent authority to remove Sri Adatarao Appala Swamy Dora, S/o. Naganna Dora, 52 years who worked as Head Constable-2199, Crime Police station, Pendurthi, Visakhapatnam City from his service, after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, copies of documents , explanation of Sri Appala Swamy Dora and final report of Director General, Anti Corruption Bureau etc., placed before them in regard to the said allegations and circumstances of the case, consider that Sri Adatarao Appala Swamy Dora, S/o. Naganna Dora, 52 years who worked as Head Constable-2199, Crime Police station, Pendurthi, Visakhapatnam City should be prosecuted in a Court of Law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred under Clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), Government, hereby accord sanction to prosecute Sri Adatarao Appala Swamy Dora, S/o. Naganna Dora, 52 years who worked as Head Constable-2199, Crime Police station, Pendurthi, Visakhapatnam City for the aforesaid offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), and for any other cognizable offences punishable under any provisions of Law for the time being in force in respect of the aforesaid act and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R. ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau,
Andhra Pradesh.
Copy to:
The Law (C) Department